

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARTINE THOMAS, Individually and as Parent
and Natural Guardian of A.T., et al.,

Plaintiffs,

-against-

DAVID C. BANKS and NEW YORK CITY
DEPARTMENT OF EDUCATION,

Defendants.

Case No. 1:24-cv-05138 (JLR)

ORDER

JENNIFER L. ROCHON, United States District Judge:

On October 8, 2024, Plaintiffs filed a proposed order to show cause without emergency relief for a preliminary injunction. Dkt. 49. On November 4, 2024, Defendants filed a partial motion to dismiss the Second Amended Complaint. Dkt. 54. On December 13, 2024, the Court ordered the parties to appear for a hearing on Plaintiffs' third motion for a preliminary injunction and Defendants' partial motion to dismiss. Dkt. 65.

For the reasons stated on the record at the January 17, 2025 hearing, Plaintiff's third motion for a preliminary injunction is DENIED, and Defendant's partial motion to dismiss is GRANTED.

IT IS FURTHER ORDERED that the parties shall file a joint status letter with the Court no later than February 28, 2025, regarding whether any of the Plaintiffs should be dismissed from this case due to intervening factual developments. The parties shall also inform the Court regarding anticipated next steps as to any remaining claims.

IT IS FURTHER ORDERED that Defendants shall answer or otherwise respond to the Second Amended Complaint, Dkt. 45, no later than February 28, 2025.

The Clerk of Court is respectfully directed to terminate the pending motion at Dkt. 54.

Dated: January 17, 2025
New York, New York

SO ORDERED.



JENNIFER L. ROCHON
United States District Judge